

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEMARIION TRAMMEL,

No. 2:23-cv-1183 DB P

Plaintiff,

v.

A. RAMOS, et al.,

ORDER AND FINDINGS AND
RECOMMENDATIONS

Defendants.

Plaintiff is a state prisoner proceeding pro se. Plaintiff's complaint was filed in the Northern District of California on June 20, 2023 and transferred to this court on June 23, 2023. The court's own records reveal that on June 9, 2023, plaintiff filed a complaint containing virtually identical allegations against the same defendants. See Trammel v. Ramos, 2:23-cv-1111 AC P.¹ Due to the duplicative nature of the present action, this court will recommend that the complaint be dismissed.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a district judge to this case; and

IT IS RECOMMENDED that this action be dismissed without prejudice. See Fed. R. Civ. P. 41(b).

¹ A court may take judicial notice of court records. See MGIC Indem. Co. v. Weisman, 803 F.2d 500, 505 (9th Cir. 1986); United States v. Wilson, 631 F.2d 118, 119 (9th Cir. 1980).

1 These findings and recommendations are submitted to the District Judge assigned to this
2 case pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within thirty days after being served
3 with these findings and recommendations, plaintiff may file written objections with the court.
4 The document should be captioned “Objections to Magistrate Judge’s Findings and
5 Recommendations.” Plaintiff is advised that failure to file objections within the specified time
6 may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th
7 Cir. 1991).

8 Dated: June 29, 2023

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11 DEBORAH BARNES
12 UNITED STATES MAGISTRATE JUDGE

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